

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

LENORA REID,

Plaintiff,

v.

Case Number 06-11259-BC
Honorable Thomas L. Ludington

COVENANT MEDICAL CENTER,

Defendant.

ORDER DENYING DEFENDANT'S MOTION FOR A DIRECTED VERDICT

On October 15, 2007, a jury rendered a verdict finding Defendant Covenant Medical Center liable for interfering with Plaintiff Lenora Reid's rights under the Family and Medical Leave Act (FMLA), 29 U.S.C. § 2601 *et seq.* On October 12, 2007, Defendant made an oral motion for a directed verdict and, pursuant to the Court's request, Defendant filed a written version of that motion.

Defendant's brief motion, albeit in terser form, recites substantially the same argument that it advanced in its motion for summary judgment, i.e., that it relied on its work rules and policies for discharging Plaintiff, such that it had a lawful reason for its employment action under the FMLA. The Court has previously considered Defendant's argument in the context of its summary judgment motion. Importantly, the same evidence that was considered in determining that motion was presented during the trial; indeed, more evidence was adduced at trial. Accordingly, for the reasons stated in its order of August 28, 2007, the Court cannot conclude that a fair minded juror could not return a verdict in favor of Plaintiff.

Accordingly, it is **ORDERED** that Defendant's motion for a directed verdict [dkt #43] is **DENIED**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: December 11, 2007

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on December 11, 2007.

s/Tracy A. Jacobs
TRACY A. JACOBS